



PATENT
Docket No. 041673/2007

46/10
17.7
5/10/00

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

Date of Deposit: April 24, 2000

I hereby certify that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.

Germaine Sarda

Printed Name

Germaine Sarda
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Ethan Bier, Kweon Yu

Serial No.: 09/215,569

Filing Date: December 16, 1998

For: PEPTIDE INHIBITOR OF TGF-BETA
GROWTH FACTORS

Examiner: Romeo D.

Group Art Unit: 1646

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID
SEQUENCE DISCLOSURES**

Box Sequence
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Notice to comply with Requirements for Applications containing Sequence Disclosures mailed December 22, 1999, please amend the application as follows:

Amendments

IN THE SPECIFICATION:

- Page 3, line ~~2~~, after "include" delete SEQ.ID.No. 3; and insert --(SEQ.ID.No. 4)--;
line ~~5~~, after "and" delete SEQ.ID.No. 7; and insert --(SEQ.ID.No. 8)--;
line ~~28~~, after "sequence" delete SEQ.ID.No. 1; and insert --(SEQ.ID.No. 3)--;
line ~~29~~, after "vector" delete SEQ.ID.No. 3; and insert --(SEQ.ID.No. 4)--.
- Page 4, line ~~1~~, after "sequence" delete SEQ.ID.No. 6; and insert --(SEQ.ID.No. 5)--;
line ~~1~~, after "peptide" insert --(SEQ.ID.No. 6)--;
line ~~5~~, after "peptide" insert --(SEQ.ID.No. 8)--;
line ~~9~~, after "Super-Sog" delete SEQ.ID.No. 4; and insert --(SEQ.ID.No. 9)--;
line ~~9~~, after "noggin" delete SEQ.ID.No. 5; and insert --(SEQ.ID.No. 10)--;
- Page 6, line 17-18, after "in" delete SEQ.ID.Nos. 1,3,6 or 7; and insert --(SEQ.ID.Nos. 1,3,5, or 7,)--.
- Page 21, Delete page 21 Summary of Sequences page, and renumber pages 22-25 as pages 21-24.

IN THE CLAIMS:

- Page 22, line 24, after "of" delete SEQ.ID.No. 6; and insert --(SEQ.ID.No. 5)--.
- Page 25, after the abstract, insert the 22 pages of the printed Sequence Listing submitted concurrently herewith.

In connection with the Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. the content of the attached paper copy and the enclosed computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and
2. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter.

Remarks

In the unlikely event that the transmittal letter is separated from this sequence listing and the U.S. Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this sequence listing to our **Deposit Account No. 50-0872**. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Date April 24, 2007

FOLEY & LARDNER
402 West Broadway
23rd Floor
San Diego, California 92101-3542
Telephone: (619) 685-6432
Facsimile: (619) 234-3510

By Stacy L. Taylor 39,431

Stacy L. Taylor
Attorney for Applicant
Registration No. 34,842



→SLT
**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

41673/2007

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

RECEIVED
JUL 27 1999
FISH & RICHARDSON

Foley & Lardner
7/2/99
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DOCKETED
Notice to Comply
Due = 1/22/00
DD = 6/22/00
NBS



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: Commissioner of Patents and Trademarks
Washington, D.C. 20231

09215569

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER NUMBER
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5

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2).³. However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David S. Romeo whose telephone number is (703) 305-4050. The examiner can normally be reached on Monday through Friday from 6:45 a.m. to 3:15 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Hutzell, can be reached on (703) 308-4310

Official papers filed by fax should be directed to (703) 308-4242.

Faxed draft or informal communications should be directed to the examiner at (703) 308-0294.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196

David S. Romeo
DAVID ROMEO
PATENT EXAMINER

December 19, 1999

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____



Applicant Must Provide:

- ☒ An initial ~~or substitute~~ computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial ~~or substitute~~ paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

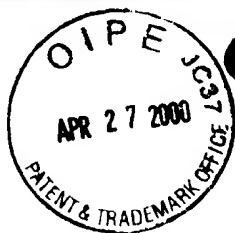
For CRF Submission Help, call (703) 308-4212

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PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE



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PATENT
Docket No. 041673/2007

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

Date of Deposit: April 24, 2000

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Germain Sarda

Printed Name

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In the application of:

Ethan Bier, Kweon Yu.

Serial No.: 09/215,569

Filing Date: December 16, 1998

For: PEPTIDE INHIBITOR OF TGF-BETA
GROWTH FACTORS

Examiner: Romeo, D.

Group Art Unit: 1646

TRANSMITTAL

Box Sequence
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Enclosed please find the following:

- [X] Response to Notice to Comply With Requirements For Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (3 Pages)
- [X] Copy of Notice to Comply (3 Pages)
- [X] Sequence Listing (Paper Copy) (22 Pages)
- [X] Computer Disk Containing Sequence Listing
- [X] Applicant(s) hereby request(s) under 37 C.F.R. §1.136(a) to extend the time for response to the Office Action mailed December 22, 1999, for three month(s) from January 22, 2000, to April 24, 2000.
- [X] Check #42370 in the amount of \$435.00 for payment of extension fees.

[X] Return postcard

DATE JUNE 10 1997

The Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this transmittal, or to credit any overpayment, to **Deposit Account No. 50-0872.**

Respectfully submitted,

Date

April 24, 2000

By

Barry Wilson 39,431

FOLEY & LARDNER
402 West Broadway
23rd Floor
San Diego, California 92101-3542
Telephone: (619) 685-6432
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Stacy L. Taylor
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